

REMARKS

Paragraph 30 of the specification has been amended to correctly recite the current address of the American Tissue Culture Collection (ATCC).

Paragraph 42 of the specification has been amended to correct an obvious clerical error with respect to the correction of the NaCl and trisodium citrate concentrations for 5x SSC (referred to as “5.times.SSC” in the specification). 5x SSC is a component of many hybridization solutions and is well known in the art. (*See, e.g., Exhibit A, CURRENT PROTOCOLS IN MOLECULAR BIOLOGY*, John Wiley and Sons, N.Y., at page 2.10.7 (1989)). SSC is normally made as a 20x stock solution, and then diluted accordingly for a particular use. Exhibit A shows that a 20x SSC stock solution contains 3 M NaCl and 0.3 M trisodium citrate. (*See, e.g., Exhibit A, CURRENT PROTOCOLS*, at page A.2.5.) To make a 5x SSC solution, the 20x solution must be diluted by a factor of four. Therefore, a 5x SSC solution contains 750 mM NaCl ($3\text{ M} \div 4 = 750\text{ mM}$) and 75 mM trisodium citrate ($0.3\text{ M} \div 4 = 75\text{ mM}$). One skilled in the art would have immediately recognized that the amounts of ingredients listed in paragraph 42 of the specification for a 5x SSC solution were incorrect. Rather than describing a 5x SSC solution, made up of 750 mM NaCl and 75 mM trisodium citrate, the specification inaccurately listed the ingredient amounts for a 1x solution. The skilled artisan, in recognizing the typographical error, could have easily adjusted the amount of ingredients described in the specification to properly make a 5x SSC solution.

An amendment to correct an obvious error does not constitute new matter where one skilled in the art would not only recognize the existence of the error in the specification, but also the appropriate correction. *See, M.P.E.P. § 2163.07*. Here, the recognition of the clerical error regarding the 5xSSC ingredients is obvious to one skilled in the art; therefore, the correction does not constitute new matter. Therefore, because no new matter will be added to the specification if this clerical error is corrected, Applicants respectfully request that the amendment to the specification to recite the correct concentrations of sodium chloride and sodium citrate in 5x SSC in paragraph 42, as well as the amendment to correct the ATCC address in paragraph 30, be entered.

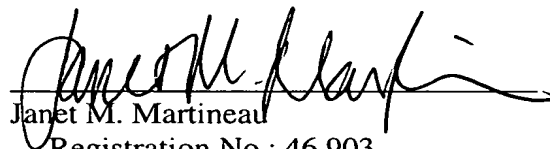
Conclusion

Applicants respectfully request that the above-made amendments and remarks be entered and made of record in the file history of the instant application. If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit

Account No. 08-3425. If a fee is required for an extension of time under 37 C.F.R. § 1.136 that is not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Dated: October 6, 2003

A handwritten signature in black ink, appearing to read "Janet M. Martineau", is written over a horizontal line.

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